

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Raul VASQUEZ-Castro,

Defendant

Magistrate Docket No.

'08 MJ 2183

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

FILED

2008 JUL 17 AM 10:04


CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **July 16, 2008**, within the Southern District of California, defendant, **Raul VASQUEZ-Castro**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF JULY 2008.


Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Raul VASQUEZ-Castro****PROBABLE CAUSE STATEMENT**

On July 16, 2008, Senior Patrol Agents U. Pacheco and S. Jaramillo Jr. were assigned to Border Patrol duties in an area known as Marron Valley. This area is approximately five miles west and one mile north of the Tecate, California Port of Entry.

At approximately 10:15 a.m., Agents Pacheco and Jaramillo were driving west bound on State Route-94 when they observed an individual waving on the north side of SR-94 approximately half a mile west of Marron Valley Road. Agents Pacheco and Jaramillo approached the individual later identified as the defendant **Raul VASQUEZ-Castro** and identified themselves as United States Border Patrol Agents and conducted an immigration field interview. The defendant admitted to being citizen and national of Mexico not in possession of any immigration documents that would allow him to enter or remain in the United States legally. The defendant was arrested and transported to the Brown Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **September 5, 1995** through the Port of Entry at **Calexico, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.